



Att. Docket No. SP-0649.1 (EVE01 P-565)

CERTIFICATE OF MAILING

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as first class mail, addressed to the Assistant Commissioner for Patents, Washington D.C. 20231, on the date indicated below.

November 14, 2000.

Date

Jacki R. Buckley

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 1745  
Examiner : C. Chaney  
Appln. No. : 09/213,544  
Applicant : John C. Nardi  
Filing Date : December 17, 1998  
For : ALKALINE CELL HAVING A CATHODE INCORPORATING  
ENHANCED GRAPHITE

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

NOTICE OF APPEAL FROM THE PRIMARY  
EXAMINER TO THE BOARD OF PATENT  
APPEALS AND INTERFERENCES

Applicant hereby appeals to the Board from the decision of the Primary Examiner mailed June 14, 2000 finally rejecting claims 1-21.

The item(s) checked below are appropriate:

1. STATUS OF APPLICANT

This application is on behalf of:

☒ other than a small entity  
☐ small entity

Verified Statement

☐ attached  
☐ previously submitted on \_\_\_\_\_

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01 FC:119 310.00 OP  
02 FC:116 280.00 OP

Applicant : John C. Nardi  
Appln. No. : 09/213,544  
Page : 2

**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. §1.17(b) the fee for filing the Notice of Appeal is:

☐ small entity  
☒ other than a small entity

Notice of Appeal fee due: \$ 310.00

**3. EXTENSION OF TERM**

*(complete (a) or (b) as applicable)*

The proceedings herein are for a patent application and the provisions of 37 C.F.R. §1.136 apply.

(a) ☒ Applicant petitions for an extension of time under 37 C.F.R. §§1.17(a)-(d) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$110.00	\$55.00
<input checked="" type="checkbox"/> two months	\$390.00	\$195.00
<input type="checkbox"/> three months	\$890.00	\$445.00
<input type="checkbox"/> four months	\$1390.00	\$695.00

Fee: \$ 390.00

If an additional extension of time is required please consider this a petition therefor.

*(check and complete the next item, if applicable)*

(b) ☒ An extension for one month has already been secured and the fee paid therefor of \$110 is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request: \$280.00

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Applicant : John C. Nardi  
Appln. No. : 09/213,544  
Page : 3

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee: \$ 310.00  
Extension fee (if any): \$ 280.00  
Total Fee Due: \$ 590.00

**5. FEE PAYMENT**

  X   Attached is a check in the sum of \$590.00

       Charge Account No. 16 2463 the sum of \$        
A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

  X   If any additional extension and/or fee is required charge Account No. 16 2463.

**and/or**

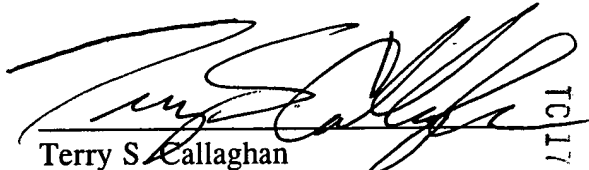
  X   If any additional fee for claims is required, charge Account No. 16 2463.

Respectfully submitted,

JOHN C. NARDI

By: Price, Heneveld, Cooper,  
DeWitt & Litton

November 14, 2000.  
Date

  
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